
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
March 25, 2020**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, March 25, 2020 at 2:00 pm. MST, via conference call.

Attendance The following Directors were present and acting:

- Paul Jardis (via telephone)
- Dale (Dutch) Stortz (via telephone)
- Michael Mossman (via telephone)
- Constance Irons-Malernee (via telephone)
- Blair Hayes (via telephone)

Also in attendance were:

- Casey Brunner, Property Owner (via telephone)
- Koby Kenney, Village Operations (via telephone)
- Maureen Crofton, Public Safety (via telephone)
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager (via telephone)
- Dave Berg, Bachelor Gulch Metro District, Manager (via telephone)
- Ken Marchetti, Marchetti & Weaver, LLC (via telephone)
- Debbie Braucht, Marchetti & Weaver, LLC, Secretary for the Meeting (via telephone)

Call to Order The Meeting of the Board of Directors of Bachelor Gulch Metropolitan District was called to order by Chairman Jardis, noting a quorum was present.

Consideration of Agenda

Donations related to the Pandemic were added to Accounts Payable discussion.

Minutes

Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the February 26, 2020 meeting minutes with one spelling correction.

Emergency Declaration

Mr. Marchetti stated legal counsel drafted an Emergency Declaration which Mr. Berg, as District Manager, signed on March 20th. The Emergency Declaration was created because of the COVID-19

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pandemic and the imminent threat of widespread or severe damage, injury or loss of life or property. The Emergency Declaration activates local disaster emergency responses and recovery aspects for local and interjurisdictional disaster emergency plans, furnishing aid and assistance. This allows the District to coordinate with other agencies for operations in case of an emergency and qualifies the District for cost reimbursement from the Federal government. The District Manager declared the emergency for 7 days but the Board must take action to extend. Director Mossman stated, in his opinion, there was no reason not to extend to December 31, 2020. The Board agreed and by motion duly made and seconded it was unanimously

RESOLVED to approve the Extension of Declaration of Local Disaster Emergency to December 31, 2020.

Public Safety Report

Ms. Crofton stated to comply with the social distancing order they have changed staffing so one officer is on patrol, the other is in the Gatehouse and she is working from home. They had the Gatehouse deep cleaned too. Mr. Kenney said he is available by phone and gave the Board his cell number.

Director Mossman asked whose jurisdiction Beaver Creek Landing was? The parking lots are full and people are walking up under the gondola to access the ski area. Vail Resorts closed all ski areas because of the pandemic on March 15th and uphill traffic is prohibited. The crowds are also violating the social distancing order from Eagle County and the State. Mr. Kenney will check the “No Skiing” and “No Uphill Traffic” signs and with Beaver Creek Public Safety.

Some construction sites have shut down but construction is considered an essential service and are therefore allowed to operate. One company looks to be ramping up operations. Public Safety can take a head count if the Board would like them to. Director Mossman stated Public Safety does have a list of owners in residence right now.

Director Irons-Malernee joined the meeting.

There was discussion of a snowcat that hit a guardrail on the skiway bridge on Roughlock. All mountain operations are off mountain so nothing has been done to repair it. After discussion it was agreed this was Vail Resort’s issue.

Operations Report

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Mr. Berg stated they are doing what they can to keep the guys separated. They've stopped the Wednesday overlapping schedule and staggered the start times. In order to maintain a 40-hour week each crew will be paid every other Wednesday and not work it. One of the crew members has been tested and is exhibiting symptoms of COVID-19. Director Stortz asked if they need to come to work? Mr. Berg and Director Jardis responded they are performing necessary work, plowing, keeping transformers and hydrants clear, pushing back snow and assisting emergency services as necessary. These are all necessary services to keep the roads safe. Mr. Sprague stated the crews have expressed their appreciation with so many others in the valley losing their jobs.

Federal Pay Regulations

Marchetti & Weaver, LLC (MWLLC) is in constant contact with HR Plus to try and stay updated on quickly changing regulations. The Emergency Pay Regulations requires employers to provide 80-hours of pay for several COVID-19 related reasons. After discussion the Board and staff were not sure how Sick and PTO pay related to the new Emergency Pay Regulation. MWLLC, HR Plus, the Personnel Committee and Mr. Berg will work together on this issue. This directly affects the employee who is out now and who is very concerned because someone at his second job tested positive. Another employee has expressed some underlying fear because of his age and other household members. The Emergency Pay Regulations are currently set to take affect on April 1st and are not retroactive.

(Subsequently the Personnel Committee, MWLLC, HR Plus and Mr. Berg unanimously agreed to pay the employee who is currently out awaiting testing and who has symptoms per the Emergency Pay Regulations even though his illness happened prior to Congress's enacting the regulation.)

Online Bill Paying

Due to COVID-19 and the Stay at Home Order it poses a health risk to leave home and go into public to sign paper checks; therefore MWLLC suggested moving to an online bill pay system. Mr. Marchetti stated his office has been using this particular system for a couple years now and he feels it is more secure than checks. The only difference will be that once the Board approves the Accounts Payable Listing either Director Jardis or Hayes will login into the online bill pay system to review invoices and approve them online. Instead of reviewing the paper invoice and signing the paper checks at the meeting. By motion duly made and seconded it was unanimously

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RESOLVED to approve Bill.com online bill paying system.

Tennis Center License Agreement & Ski School and Public Restroom Lease

Director Jardis stated what he feels are final agreements were sent to Mr. Trueblood on March 9th.

Upper Eagle Regional Water Authority Agreement

A Memorandum of Understanding was sent to Mr. Collins in late February.

Financial Statements

Mr. Marchetti updated the long-range financial plan with concerns for 2020 in mind. Ending the ski season mid-March, and closing stores and restaurants will have a detrimental affect on sales tax. Mr. Berg was asked to identify items that could be cut from the 2020 budget and Director Jardis forwarded those items on to the Board for review prior to the meeting. Discussion of the Prater sidewalk, sediment ponds, savings on the solar array, telehandler and guardrails compared to budget were all discussed. Upon consideration and by motion duly made and seconded it was unanimously

RESOLVED to take a middle of the road approach and reduce the budget by the above-mentioned projects for a total savings of \$741,372 leaving the District with a \$3.7 million fund balance for 2020.

Skier Bridges

Mr. Brunner previously emailed the Board with what he called a visceral reaction to the replacement of natural materials with synthetic materials on a skier bridge near Buckhorn Townhomes. He stated he appreciates the Board's service but he would ask that they refrain from any more changes with the synthetic material. Director Jardis stated there are roughly five-thousand (5,000) wood things in Bachelor Gulch between the sign posts, lamp posts and address markers. As soon as they are put up they begin deteriorating. For years they have searched for an alternative; Directors Jardis and Irons-Malernee even met with a local architect to find an alternative but he didn't find anything. The concrete log facia seems like a very good solution because it is environmentally friendly and fire proof. The Board believes this is an improvement to wood but they will take Mr. Bruner's comments under advisement. The Board asked Mr. Sprague to contact the makers of the concrete logs and look at some different color solutions and possibly something more realistic looking.

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Director Stortz asked if Vail Associates is planning any projects for the bridges this summer. Mr. Berg stated they have had no meetings with them regarding any. In part because of the premature closing of the mountain and their staff lay-offs. The District budgets fifty-thousand dollars (\$50,000) a year as a place holder but they will cancel anymore shipments from their supplier until they can come up with an alternative. The Board will communicate with Mr. Brunner once they have talked to their supplier. If Mr. Brunner comes up with something please communicate it with the Board.

Accounts Payable

Director Jardis would like to propose donating one-thousand (\$1,000) each to the Community Market and the Salvation Army for their food banks. Because of the Corona virus the Community Food Bank has seen a 300% increase in demand. The Salvation Army received a lot of food donations but they are already gone. People in the service industries are in a time of great need. Board members have made donations individually and now he would like to request the District make a donation too. After discussion and by motion duly made and seconded it was unanimously

RESOLVED to approve and ratify the updated accounts payable list and add a donation of \$1,000 each to the Community Market and Salvation Army Food Banks.

Adjournment

There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

RESOLVED to adjourn the meeting of the Bachelor Gulch Metropolitan District Board of Directors held March 25, 2020

Respectfully Submitted,



Secretary to the Meeting